Writ Petition No. 737 (M/B) of 2001

Hon. A.A. Desai, C.J.
Hon. M.C. Jain, J.

Heard Sri V.K. Bist, learned counsel for the petitioner and Sri S.P. Agarwal, counsel for the respondents.

According to the petitioner, he preferred appeal to the Commissioner (Appeals), Central Excise, Ghaziabad. He also moved a stay application on 12.10.2000, which is pending. His grievance is that stay application has not been decided so far.

Heard Mr. S. P. Agarwal, counsel for the respondents. According to him, the appeal and stay application were not tenable. However, the authorities ought to have taken decision thereon.

We, therefore, direct the authorities to take decision in the matter within four weeks from to-day.

With this, the petition is disposed of.

Dt. 23.8.2001 **(A.A. Desai, C.J.)**
A **(M.C. Jain, J.)**